

REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and following remarks.

Claim Status

Claims 1-74 are pending in this application, with claims 69-72 having been withdrawn from consideration. Claims 1, 28-31, 33, 60-63, 65-68 and 73-74 are amended.

Claim Rejections

Claims 1-3, 9, 10, 13, 22, 23, 30, 31, 33-35, 41, 42, 45, 54, 55, 62, 63, 67 and 68 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,698,021 to Amini (“Amini”) in view of U.S. Patent Application Publication No. 2002/0163579 to Patent (“Patel”). (See Office Action, pages 3-12).

Claims 1, 3-6, 8, 9, 13, 16, 17, 19-22, 24-26, 33, 35-38, 40, 41, 43, 45, 48, 49, 51-54 and 56-58 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2002/0138847 to Abrams (“Abrams”) in view of Patel and U.S. Patent No. 6,803,945 to Needham (“Needham”). (See Office Action, pages 12-19).

Claims 7 and 39 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abrams in view of Patel and Needham and further in view of U.S. Patent No. 5,623,601 to Vu (“Vu”). (See Office Action, page 20).

Claims 12 and 44 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abrams in view of Patel and Needham and further in view of U.S. Patent No. 6,323,897 to Kogane (“Kogane”) and Vu. (See Office Action, pages 20-21).

Claims 14 and 46 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abrams in view of Needham and further in view of Rowe. (See Office Action, page 22).

Claims 15 and 47 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Amini in view of Patel and further in view of U.S. Patent No. 6,017,157 to Garfinkle (“Garfinkle”). (See Office Action, pages 22-23).

Claims 18 and 50 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abrams in view of Needham and further in view of U.S. Patent No. 6.125,145 to Koyanagi (“Koyanagi”). (See Office Action, page 23).

Claims 27, 59, 73 and 74 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abrams in view of Patel and Needham and further in view of U.S. Patent No. 5,944,790 to Levy (“Levy”). (See Office Action, pages 24-27).

Claims 28, 60 and 65 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable Abrams in view of Patel, Amini and Garfinkle. (See Office Action, pages 27-30).

Claims 29, 61 and 66 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abrams in view of Patel and Amini. (See Office Action, pages 30-32).

Claims 32 and 64 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Amini in view of Patel and Needham. (See Office Action, pages 32-33).

Applicant respectfully disagrees with the characterization of the pending claims and of the prior art in the stated rejections and respectfully traverses these rejections.

We have amended claims to more clearly recite the feature of the present invention and thereby distinguish claimed invention from the cited prior art. In particular,

independent claims 1 has been amended to clearly recite that an image processing system of the present invention comprising:

“capture means for capturing image data from an image input apparatus disposed on a network;
storage means for storing the plural image data captured by said capture means and, beside the image data, information at the image capture time;
creation means for creating display image control data from the image data captured by said capture means and the information at the image capture time, the display image control data being the data to control an image for display;
transmission means for transmitting the display image control data created by said creation means; and
control means for setting independently a control schedule of each of said capture means, said creation means and said transmission means and effecting a control thereof in accordance with a the control schedule set independently.”

According to this feature of the present invention, it can be attained to execute a desired combination of image capture, creation of image information data from a template, and transmission of an image.

Similar elements are recited in amended independent claims 28-31, 33, 60-63, 65-68 and 73-74. The above-described feature of the present invention recited in each of the amended independent claims is not taught from each of the cited references, in particular, the references of Abrams, Amini, Needham, Levy and Patel.

The Office Action cites a new reference of Patel to reject the present invention recited in each of the independent claims. This implies that the combinations of the references cited in the previous Office Action fails to teach the present invention recited in each of the independent claims now on file. The newly cited reference of Patel discloses, in Fig.4 referred to by the Examiner, a home page data forming processing which is a series of processings that include an image pickup step, a page generation step and storing step and is started when a camera photographs a picture. Thus, this reference fails to teach to set independently a control schedule of each of the steps to control thereof in accordance with

the independently-set control schedule, while each of the amended independent claims clearly recites such a feature.

In view of the above, the cited references including Patel which has been newly cited, taken alone or in combination, do not teach the present invention recited in each of the independent claims.

Dependent claims which depend directly or indirectly from the independent claims are patentable for similar reasons.

CONCLUSION

In view of the foregoing, Applicants submit that the claims as herein presented are allowable over the prior art of record and that the rejections and objections, being overcome or otherwise rendered moot, be withdrawn. Applicants further submit that the application is hereby placed in condition for allowance which action is respectfully requested.

If any outstanding issues remain, however, the Examiner is invited to contact the undersigned at the telephone number below.

No fees are believed due in connection with this response and this paper is believed to be timely filed. However, should an extension of time be necessary to render this filing timely, such extension is hereby petitioned. The Commissioner is authorized to charge any fees or credit any overpayments which may be required for this paper to Deposit Account Number 13-4500, Order No. 1232-4658.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: July 20, 2006

By:


Ping Gu

Registration No. L0040

Mailing address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, New York 10281-2101
(212) 415-8700 (Telephone)/(212) 415-8701 (Facsimile)